



House of Representatives

General Assembly

File No. 534

January Session, 2001

Substitute House Bill No. 5399

House of Representatives, May 1, 2001

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING RECORDING ASSIGNMENT OF MORTGAGE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 7-25 of the general statutes is repealed and the following is
2 substituted in lieu thereof:

3 Each town clerk shall, within five days after receipt of an instrument
4 for record, enter the names of all the grantors in a grantor index and all
5 the grantees in a grantee index, in alphabetical order, and cross-
6 indexed as to the party first identified as grantor or grantee on the
7 instrument, the nature of the instrument, the date of its receipt as
8 endorsed upon the recorded instrument and thereafter, when available
9 for entry, the book and page of such instrument or other suitable
10 indication of its location approved by the Public Records
11 Administrator. If such instrument is an assignment of mortgage,
12 collateral assignment of mortgage, subordination of mortgage or other
13 transfer of an interest in a mortgage, the mortgagor shall be deemed an
14 additional grantor for purposes of this section. If such instrument

15 affects real property, the index shall include a reference to the location
16 of such property, if contained in such instrument. Such general index
17 shall be a permanent public record.

JUD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Affected Agencies: None

Municipal Impact: None

Explanation**Municipal Impact:**

The bill requires a town clerk to enter a property owner's name in the grantor index when recording a mortgage assignment or other transfer of an interest in a mortgage. This will result in a workload increase to the municipalities, which can be handled their normal budgetary resources, thus there is no fiscal impact.

OLR Bill Analysis

sHB 5399

AN ACT CONCERNING RECORDING ASSIGNMENT OF MORTGAGE.**SUMMARY:**

This bill requires that whenever a mortgage assignment or other transfer of an interest in a mortgage is recorded on the land records, the town clerk must enter the property owner's name in the grantor index for the transaction.

EFFECTIVE DATE: October 1, 2001

BACKGROUND***Grantor/Grantee Index***

Each town clerk keeps an index, in alphabetical order, to help people conducting a title search of a parcel of land. The index has two parts. One is the grantor index, which lists all transactions where someone (grantor) conveyed an interest in land. The other is the grantee index, which lists all transactions where someone acquired an interest in land.

When a landowner obtains a mortgage he is considered a grantor because he conveys his interest in his land to the lender as security for the loan, and his name is listed alphabetically in the grantor index. The lender is considered a grantee because it receives an interest in the land in exchange for the money it lends and its name is recorded alphabetically in the grantee section.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 38 Nay 0

